

PATENT  
#01-0161-UNI  
Case #F3274(C)

Express Mail Label No.: ET 506 465 876 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Spindler  
Deposited: December 5, 2001  
For: AERATED COMPOSITIONS, PROCESS AND APPARATUS FOR  
ACHIEVING SUCH AERATED COMPOSITIONS

Edgewater, New Jersey 07020  
December 5, 2001

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

With regard to the above-identified application filed concurrently herewith, please  
amend the following:

**In the Claims:**

Please enter the following amended claims:

5. (Amended) A process according to claim 3 wherein said composition is an ice cream.
7. (Amended) Use of an apparatus according to claim 6 in the preparation of a cold extruded ice cream.

## REMARKS

The present amendment is submitted to eliminate multiple dependencies and to correct minor typographical errors. The amendments were not intended to and should not be construed to have been made for any reasons related to patentability of the claims.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,



---

Gerard J. McGowan, Jr.  
Reg. No. 29,412  
Attorney for Applicant(s)

GJM/mt  
(201) 840-2297

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

5. (Amended) A process according to ~~either claim 3 or 4~~ wherein said composition is an ice cream.

7. (Amended) Use of an apparatus according to claim 6 in the preparation of a cold extruded ice cream ~~according to claim 4~~.